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Chairman: Mr. Kmoníček ..... (Czech Republic)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Kuznetsov

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Completion of the work of the Fifth Committee at the second part of the resumed fifty-eighth session of the General Assembly

The meeting was called to order at 10.15 a.m.

Agenda item 17: Appointments to fill vacancies in subsidiary organs and other appointments

(j) Appointment of a member of the International Civil Service Commission (A/58/110; A/C.5/58/38)

1. **The Chairman** drew the Committee's attention to document A/58/110, in which the Secretary-General informed the General Assembly that he had received notification of the death of Mr. João Augusto de Médicis (Brazil), member of the International Civil Service Commission. Accordingly, the General Assembly would be required to appoint, at its current session, a person to serve as a member of the Commission for the remainder of the term of office of Mr. Augusto de Médicis, which would expire on 31 December 2005. In document A/C.5/58/38, the Secretary-General informed the General Assembly that the Government of Brazil had nominated Mr. Gilberto Coutinho Paranhos Velloso to fill the vacancy. In the absence of other candidatures, he took it that the Committee wished to recommend by acclamation to the General Assembly the appointment of Mr. Paranhos Velloso as a member of the International Civil Service Commission, for a term beginning on the date of the appointment by the General Assembly and ending on 31 December 2005.

2. *It was so decided.*

Agenda item 118: Financial reports and audited financial statements, and reports of the Board of Auditors (*continued*) (A/C.5/58/L.89)

Draft resolution A/C.5/58/L.89

3. **The Chairman** drew the Committee's attention to draft resolution A/C.5/58/L.89.

4. *Draft resolution A/C.5/58/L.89 was adopted.*

Agenda item 121: Programme budget for the biennium 2004-2005 (*continued*)

Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council (*continued*) (A/C.5/58/L.86)

Draft resolution A/C.5/58/L.86

5. **The Chairman** drew the Committee's attention to draft resolution A/C.5/58/L.86.

6. *Draft resolution A/C.5/58/L.86 was adopted.*

7. **Mr. Drofenik** (Austria) said that the work of the Cameroon-Nigeria Mixed Commission was important for all Member States and that the Secretary-General's good offices in that regard were much appreciated. However, during the deliberations on that issue, concerns had been expressed over the late issuance of the relevant documentation, which had left the Advisory Committee on Administrative and Budgetary Questions and Member States with very little time for discussion and decision-making. Throughout their informal consultations, Member States had repeatedly stressed the need for the timely issuance of documentation.

8. **Ms. Lock** (South Africa), speaking on behalf of the African Group, said that, despite the late submission of documentation relating to a number of agenda items and the unsatisfactory nature of the information contained in those submissions, the Committee had consistently taken action on the items concerned. However, a selective approach had been taken to the agenda item currently under consideration and an explicit paragraph on the late issuance of documents had been included in the draft resolution. In addition, for the first time in its history, the Fifth Committee had negotiated a commitment authority level recommended by the Advisory Committee, despite the fact that a commitment authority was not an appropriation and had been designed to introduce safeguards and discipline in spending. Such a selective approach was liable to be interpreted in ways that did not reflect its original intent, and should be avoided at all costs in the future.

9. Nevertheless, the Committee's efforts to address some of the concerns emanating from the selective treatment of the issues arising under the agenda item in question had been noted. In that connection, and with reference to paragraph 1 of the draft resolution, the African Group attached great importance to the work of the good offices of the Secretary-General, which represented a model approach to conflict prevention that deserved the full and unconditional support of the General Assembly.

10. The African Group had also taken note of paragraph 6 of the draft resolution and looked forward to the Committee's further consideration of the issue during the main part of the fifty-ninth session of the General Assembly.

Agenda item 121: Programme budget for the biennium 2004-2005 (*continued*)

Agenda item 131: Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (*continued*)

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Strengthening the security and safety of United Nations operations, staff and premises (*continued*)
(A/C.5/58/L.91)

Draft resolution A/C.5/58/L.91

11. **The Chairman** drew the Committee's attention to draft resolution A/C.5/58/L.91.

12. **Ms. Stanley** (Ireland), speaking on behalf of the European Union, the associated countries (Bulgaria, Romania and Turkey), the stabilization and association process countries (Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro and the former Yugoslav Republic of Macedonia), and, in addition, Iceland, said that the European Union viewed the adoption of the draft resolution with mixed feelings. On the one hand, it was relieved that the Committee had eventually agreed to authorize a large proportion of the funds requested by the Secretary-General, but, on the other hand, it regretted the lack of unanimity on the urgent need to strengthen the security and safety of United Nations operations, staff and premises in the light of the new threats facing the organization.

13. Although the European Union was convinced that the need to reinforce the capacity of the Office of the United Nations Security Coordinator (UNSECOORD) at Headquarters and in the field was incontrovertible, not all delegations shared that conviction and the draft resolution therefore represented a compromise that fell well below initial expectations.

14. UNSECOORD played a vital role in promoting effective security within the United Nations but was grossly understaffed. The European Union therefore welcomed the establishment of 58 new field security posts and the modest sum allocated for general technical assistance, even though that allocation would mean that the urgent requests for general technical assistance from Geneva, Nairobi, Santiago and elsewhere would not be met.

15. The European Union continued to attach importance to the transfer to regular budget financing of the 58 field security posts currently financed from extrabudgetary resources and considered that it was inappropriate to finance a core function through voluntary rather than assessed contributions. All

delegations should strive to put an end to that anomalous situation before the end of 2004.

16. Lastly, she hoped that the report of the Secretary-General to be presented to the General Assembly at its fifty-ninth session would contain resource requirements that were fully justified in the light of the strategic review currently under way in the Secretariat. The European Union would require assurances that a unified and coordinated security system that ensured consistency of standards and adequate protection for all United Nations personnel had been, or would be, implemented. She hoped, however, that the debate at the fifty-ninth session would not evolve into the micromanagement of security procedures.

17. **Mr. Kramer** (Canada), speaking also on behalf of Australia and New Zealand, said that the draft resolution at issue was part of the Organization's response to a new security environment, in which safety and security must be integral to all United Nations operations and must be managed accordingly. It was apparent from the negotiations that Member States expected the Secretary-General to present the General Assembly with comprehensive and concrete proposals for an improved safety and security management system with well-defined leadership and clear lines of authority and accountability.

18. The draft resolution gave authorization for the bulk of the resources requested by the Secretary-General and specifically acknowledged the need for the capacity to undertake threat and risk assessment. However, the failure to convert the 58 posts at UNSECOORD funded from extrabudgetary resources and the refusal to provide more generous funding for general temporary assistance were baffling. In that connection, he would be interested to know which delegations were opposed to providing the security requested and why.

19. He wondered why the negotiations on the draft resolution had been so difficult, particularly in view of the broad agreement on both the intrinsic importance of the issue of safety and security and the proposals as a whole. Both the credibility and the established working methods of the Committee were under threat, given that, in order to accommodate the request of a specific delegation, the draft resolution referred to a human resources management resolution but not to the bombing in Baghdad. That approach did not reflect the balance and mutual respect that Member States had come to expect, and there was therefore a need to revert to the substance, as well as the form, of the consensus-based decision-making that had served the Organization and its Members so well.

20. **Ms. Groux** (Switzerland) said that the international security environment had deteriorated markedly in recent years. It was therefore crucial to take the necessary measures to ensure the safety and security of United Nations operations, staff and premises and, in that connection, the outcome of the Committee's work represented a step in the right direction. Her delegation looked forward to the consideration of the forthcoming report of the Secretary-General on phase II of the project.

21. Switzerland fully supported the Secretary-General's efforts to strengthen safety and security and stood ready to fulfil its obligations in that regard. As a Member State of the United Nations, it was committed to paying its assessed contributions and, as host to the United Nations Office at Geneva, it would take all appropriate measures to step up security within its territory.

22. **Mr. Mazumdar** (India) said that his delegation's approach to the issue of safety and security had been guided by two factors. First, dismay at the grim picture of the security situation painted by the relevant experts and determination that such a situation must not continue, and, secondly, the conviction that the problem could not be solved by money alone. As the Advisory Committee had pointed out, there was need for greater accountability and an enhanced security management culture, among other things.

23. The outcome of the negotiations on the draft resolution was not perfect, but did provide a good indication of the solutions sought by Member States. His delegation endorsed the remarks made by the representative of Ireland, speaking on behalf of the European Union, regarding the need for fully justified resource requirements and the importance of refraining from micromanagement.

24. **Mr. El Naggar** (Egypt) said that his delegation endorsed the statement made by the representative of India and wished to express its concern at the working methods of the Committee. All Member States had an important role to play in efforts to address the critical issue of safety and security.

25. **The Chairman** said that he took it that the Committee wished to adopt draft resolution A/C.5/58/L.91 without a vote.

26. *It was so decided.*

27. **Ms. Skaare** (Norway) said that her delegation fully supported the Secretary-General's budget proposals. It was disappointing that the Fifth Committee had not acknowledged the change in the security environment and had consequently failed to authorize the necessary appropriations for urgently required security measures. She expressed concern about the process leading up to the adoption of the resolution, which, rather than being straightforward, had become difficult. In that regard, she strongly urged Member States to reflect on how the Fifth Committee could ensure that its future deliberations were more constructive and cost-effective.

28. **Ms. Attwooll** (United States of America) welcomed the adoption of a short and action-oriented resolution, which represented a fundamental and long-overdue first step towards establishing a robust and credible security system for the staff of the United Nations. She looked forward to further discussion on the issue during the fifty-ninth session of the General Assembly and, in that regard, reiterated her expectation that the proposals made by the Secretary-General in his second report should be well-defined and supported by clear reasoning.

29. The horrific events of 19 August 2003 had necessitated an urgent rethinking of the priority accorded to issues relating to safety and security and, in that regard, the resolution failed to send a serious message to the Organization about Member States' concerns for the safety of its staff. From the outset, the United States had maintained that effective safety and security provisions were of paramount importance to the successful functioning of the United Nations and should not be treated as "business as usual". Providing a secure environment for all staff was in the interests of all Member States and should transcend political divides.

Capital master plan

30. **Ms. Stanley** (Ireland), speaking on behalf of the European Union, the candidate countries (Bulgaria, Romania and Turkey), the stabilization and association process countries (Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro and the former Yugoslav Republic of Macedonia), and, in addition, Iceland and Norway, recalled that, during the discussions of the United States proposal for the financing of the capital master plan, the European Union had stressed the responsibility of the host country, expressed its disappointment at the provisional offer and called for more financing options. During the second part of the resumed session, the European Union had taken the view that it was appropriate for the General Assembly to adopt a resolution with four main messages. First, there was an urgent need to renovate and modernize the Headquarters building, in particular for security and safety reasons.

31. Secondly, the host countries to United Nations entities had special responsibilities. Member States had pursued the capital master plan on the understanding that the United States would offer an interest-free loan to finance it, but the host country Government's provisional offer of an interest-bearing loan of up to US$ 1.2 billion, repayable over a maximum period of 30 years, did not meet the European Union's expectations. In the light of that offer, the Secretariat was urged to explore more financing options in preparation for the discussions to be held at the fifty-ninth session of the General Assembly.

32. Thirdly, with regard to repayment options, a proposal had been made to establish a United Nations financial facility for the repayment of the principal and the payment of interest on the loan provided by the United States. The facility would be fed by national contributions in accordance with the United Nations scale of assessments, but the "cap" in respect of the United States would not be applied. Lastly, the European Union would be grateful for detailed information on the procurement for the capital master plan.

33. The vast majority of Member States supported the idea of a resolution and looked positively on the contents of the draft text. Regrettably, however, the Committee had been unable to reach consensus on a number of essential elements and, given the time constraints, would only have been able to agree on a very short and generic draft resolution which would not have been helpful in securing better options. While disappointed that it had been impossible to agree on a resolution that sent the right message, the European Union took the view that the exercise had been essentially meaningful and constituted a firm basis for continued interaction at the fifty-ninth session.

Agenda item 127: Human resources management (*continued*)

Agenda item 134: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*) (A/C.5/58/L.87)

Draft resolution A/C.5/58/L.87

34. **Mr. Tilemans** (Belgium) introduced draft resolution A/C.5/58/L.87. Owing to lack of time, the Committee had been unable to reach agreement on a draft resolution on cross-cutting issues in peacekeeping operations. However, he would transmit to the Secretariat the text discussed in informal consultations so that delegations could refer to it when the Committee resumed its consideration of the matter at the second part of the resumed fifty-ninth session of the General Assembly.

35. **Mr. Wins** (Uruguay) expressed regret that there had not been time at the current part of the session, which was devoted to consideration of peacekeeping budgets, to reach agreement on a draft resolution that would have ensured that peacekeeping operations were adequately financed. His delegation would join the consensus on the understanding that the Secretariat would take into account all the issues referred to in informal consultations, particularly the concerns raised about rations and used vehicles.

36. **Mr. Pulido León** (Venezuela) said that his delegation associated itself with the statement made by the representative of Uruguay. It also trusted that the Secretariat would provide all the information requested by delegations in informal consultations.

37. *Draft resolution A/C.5/58/L.87 was adopted.*

Special measures for protection from sexual exploitation and sexual abuse (*continued*) (A/C.5/58/L.71)

Draft decision A/C.5/58/L.71

38. **The Chairman** drew attention to draft decision A/C.5/58/L.71.

39. *Draft decision A/C.5/58/L.71 was adopted.*

Agenda item 134: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

Financing of the United Nations Logistics Base at Brindisi, Italy (*continued*) (A/C.5/58/L.72)

Draft resolution A/C.5/58/L.72

40. **The Chairman** drew attention to draft resolution A/C.5/58/L.72.

41. *Draft resolution A/C.5/58/L.72 was adopted.*

Support account for peacekeeping operations (*continued*) (A/C.5/58/L.88)

Draft resolution A/C.5/58/L.88

42. **The Chairman** drew attention to draft resolution A/C.5/58/L.88.

43. *Draft resolution A/C.5/58/L.88 was adopted.*

Reports of the Office of Internal Oversight Services (*continued*) (A/C.5/58/L.90)

Draft resolution A/C.5/58/L.90

44. **The Chairman** drew attention to draft resolution A/C.5/58/L.90.

45. *Draft resolution A/C.5/58/L.90 was adopted.*

Closed peacekeeping missions (*continued*)

46. **Mr. Aljunied** (Singapore), reporting on the outcome of the informal consultations, said that it had not been possible to achieve a consensus on the issue despite the efforts made.

Agenda item 136: Financing of the United Nations Mission in Bosnia and Herzegovina (*continued*) (A/C.5/58/L.68)

Draft resolution A/C.5/58/L.68

47. **The Chairman** drew attention to draft resolution A/C.5/58/L.68.

48. **Mr. Dutton** (Australia), speaking as coordinator of the informal consultations on the item, said that the draft resolutions on the financing of peacekeeping missions contained a number of standard paragraphs, which had been agreed by the Committee some years

earlier. In the informal consultations, some delegations had expressed concern that certain aspects of those paragraphs had become outdated or were not appropriate for inclusion in all the draft resolutions. Other delegations had argued that the paragraphs expressed vital principles that had lost none of their relevance. There had not been enough time to negotiate revisions to the paragraphs. He had therefore proposed that the Committee should adopt the draft resolutions by consensus on the understanding that he would draw attention to the matter in a formal meeting of the Committee and would request the Bureau, at the fifty-ninth session of the General Assembly, to bear in mind, when drawing up the programme of work, that sufficient time would be required for a full discussion of the matter.

49. *Draft resolution A/C.5/58/L.68 was adopted.*

Agenda item 137: Financing of the United Nations Peacekeeping Force in Cyprus (*continued*) (A/C.5/58/L.77)

Draft resolution A/C.5/58/L.77

50. **The Chairman** drew attention to draft resolution A/C.5/58/L.77.

51. *Draft resolution A/C.5/58/L.77 was adopted.*

Agenda item 138: Financing of the United Nations Organization Mission in the Democratic Republic of the Congo (*continued*) (A/C.5/58/L.75)

Draft resolution A/C.5/58/L.75

52. **The Chairman** drew attention to draft resolution A/C.5/58/L.75.

53. *Draft resolution A/C.5/58/L.75 was adopted.*

Agenda item 140: Financing of the United Nations Mission of Support in East Timor (*continued*) (A/C.5/58/L.85)

Draft resolution A/C.5/58/L.85

54. **The Chairman** drew attention to draft resolution A/C.5/58/L.85.

55. *Draft resolution A/C.5/58/l.85 was adopted.*

Agenda item 141: Financing of the United Nations Mission in Ethiopia and Eritrea (*continued*) (A/C.5/58/L.78)

Draft resolution A/C.5/58/L.78

56. **The Chairman** drew attention to draft resolution A/C.5/58/L.78.

57. *Draft resolution A/C.5/58/L.78 was adopted.*

Agenda item 142: Financing of the United Nations Observer Mission in Georgia (*continued*) (A/C.5/58/L.74)

Draft resolution A/C.5/58/L.74

58. **The Chairman** drew attention to draft resolution A/C.5.58/L.74.

59. **Mr. Abelian** (Secretary of the Committee), speaking on behalf of the Chairman of the Advisory Committee on Administrative and Budgetary Questions (ACABQ), who was absent on official business, said that clarification had been sought, in the informal consultations held on 7 May 2004, concerning the statement, in paragraph 32 of the related report of ACABQ (A/58/759/Add.1), that the provision of armed military guards would continue to be outsourced for the external perimeter security. The phrase "armed military guards" was derived from a memorandum dated 15 March 2004, which had been produced by the Secretariat in response to a question posed by the Advisory Committee concerning the outsourcing of security. According to the information received from the Mission, the services in question were provided by armed guards who were dressed in elements of camouflage clothing but were not military guards. Further clarification should be sought from the Secretariat, if necessary.

60. *Draft resolution A/C.5/58/L.74 was adopted.*

Agenda item 143: Financing of the activities arising from Security Council resolution 687 (1991) (*continued*)

(a) United Nations Iraq-Kuwait Observation Mission (*continued*) (A/C.5/58/L.69)

Draft resolution A/C.5/58/L.69

61. **The Chairman** drew attention to draft resolution A/C.5/58/L.69.

62. *Draft resolution A/C.5/58/L.69 was adopted.*

Agenda item 144: Financing of the United Nations Interim Administration Mission in Kosovo (*continued*) (A/C.5/58/L.79)

Draft resolution A/C.5/58/L.79

63. **The Chairman** drew attention to draft resolution A/C.5/58/L.79.

64. *Draft resolution A/C.5/58/L.79 was adopted.*

Agenda item 145: Financing of the United Nations peacekeeping forces in the Middle East (*continued*)

(a) United Nations Disengagement Observer Force (*continued*) (A/C.5/58/L.73)

Draft resolution A/C.5/58/L.73

65. **The Chairman** drew attention to draft resolution A/C.5/58/L.73.

66. *Draft resolution A/C.5/58/L.73 was adopted.*

(b) United Nations Interim Force in Lebanon (*continued*) (A/C.5/58/L.81)

Draft resolution A/C.5/58/L.81

67. **The Chairman** drew attention to draft resolution A/C.5/58/L.81, submitted by the delegation of Qatar on behalf of the Group of 77 and China. The draft resolution had been introduced at the Committee's 50th meeting, on Thursday, 27 May 2004.

68. **Mr. Abelian** (Secretary of the Committee) said that, in paragraph 10, the words "so that the General Assembly may" should be replaced by the words "in order to". The new language reflected more accurately the outcome of the informal consultations on the item.

69. **Mr. Wittmann** (United States of America) said that his delegation was unable to join the consensus on the draft resolution, which was both fundamentally flawed and internally inconsistent. It was the responsibility of the Secretary-General to make and pursue claims against Member States on behalf of the Organization; to use a funding resolution to do so was wrong. No other claim had been pursued in that manner. The fourth preambular paragraph and operative paragraphs 3, 4 and 13 thus ran counter not only to established practice but also to Article 17 of the Charter of the United Nations and to paragraph 7 of the draft resolution itself, which emphasized that all future and existing peacekeeping missions should be given equal and non-discriminatory treatment in respect of financial and administrative arrangements. Pursuant to General Assembly resolution 41/213, all possible efforts should be made with a view to establishing the broadest possible agreement on decisions taken by the Committee. His delegation had worked in good faith to achieve a consensus on the draft resolution. Regrettably, the delegations that had proposed the language contained in the fourth preambular paragraph and operative paragraphs 3, 4 and 13 had declined to withdraw or modify that wording, even when it became clear that no agreement could be reached. His delegation therefore wished to request a single recorded vote on those paragraphs.

70. *At the request of the representative of the United States of America, a single recorded vote was taken on the fourth preambular paragraph and on paragraphs 3, 4 and 13 of the draft resolution.*

In favour:

Afghanistan, Algeria, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Chile, China, Colombia, Congo, Cuba, Djibouti, Dominican Republic, Ecuador, Egypt, Gambia, Guatemala, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Jamaica. Jordan, Kazakhstan, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

71. *The fourth preambular paragraph and paragraphs 3, 4 and 13 of draft resolution A/C.5/58/L.81 were adopted by 80 votes to 2, with 51 abstentions.*

72. *At the request of the representative of the United States of America, a recorded vote was taken on the draft resolution as a whole.*

In favour:

Afghanistan, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

Cameroon.

73. *Draft resolution A/C.5/58/L.81 as a whole, as orally revised, was adopted by 137 votes to 2, with 1 abstention.*

74. **Ms. Thorpe** (Australia), speaking also on behalf of Canada and New Zealand, said that those delegations were pleased that the draft resolution just adopted provided for the continuation of the financing of the United Nations Interim Force in Lebanon (UNIFIL) but regretted that, once again, it had not been possible to achieve a consensus. The paragraphs voted on separately contained political elements inappropriate for a financing resolution, continuing the regrettable precedent set some years earlier. The three delegations had therefore abstained in the vote. The paragraphs in question undermined long-standing budgetary principles concerning the financing of peacekeeping operations based on the principle of collective responsibility.

75. **Mr. Sermoneta** (Israel) reiterated Israel's strong support for the personnel of UNIFIL and the important work they were carrying out. Israel had paid its full assessed contribution to UNIFIL on time and without conditions and would continue to do so. By contrast, some of the sponsors of the divisive draft resolution just adopted had yet to pay their assessments.

76. His delegation regretted the deliberate politicization of the item. The four paragraphs voted on separately contained language that had no place in a financing resolution and did nothing to enhance the efficiency or effectiveness of the Force's mandated activities. Moreover, it violated the principle of collective responsibility for the Organization's expenses set out in Article 17 of the Charter. There was no precedent for demanding that one Member State

should bear sole responsibility for costs incurred when peacekeeping forces operated in areas where hostilities were taking place and armed groups endangered United Nations facilities by resorting to the illegal use of force in close proximity to them. Costs incurred by other United Nations peacekeeping forces had been apportioned among the Member States, regardless of the circumstances. There was no reason why Israel should be singled out and treated in a discriminatory manner.

77. The incorporation of the four paragraphs in the draft resolution ran counter to the established practice of the Committee, which always sought to resolve contentious issues. His delegation had voted against those paragraphs and, while it had no objection to the technical aspects of the draft resolution, it had been forced to vote against the text as a whole.

78. **Mr. Zeidan** (Lebanon) said that his delegation respected the principle of collective responsibility for the financing of United Nations peacekeeping operations. However, it also wished to emphasize the principle of responsibility of States for their international wrongful acts and for the consequences of such acts. That principle was enshrined in the Charter and was implied in paragraph 1 (e) of General Assembly resolution 55/235, which stated that, where circumstances warranted, the General Assembly should give special consideration to the situation of any Member States which were victims of, and those which were otherwise involved in, the events or actions leading to a peacekeeping operation. It was on that basis that nine previous General Assembly resolutions had requested the payment of compensation to the United Nations for the damage incurred as a result of the attack on the peacekeeping post in Qana. That request was reiterated in the fourth preambular paragraph and in paragraphs 3, 4 and 13 of the draft resolution just adopted.

79. **Mr. Rajeh** (Saudi Arabia) said that the representative of Israel had stated that the indirect bombing of the Fiji battalion headquarters at Qana had occurred because of military operations taking place in close proximity to it. Similarly, when the Committee had considered a draft resolution on the financing of UNIFIL at the fifty-fifth session of the General Assembly, the Israeli delegation had stated that Hezbollah had launched Katyusha rockets from a site some 300 metres from the headquarters. However, when the General Assembly had taken up the same draft resolution in the plenary meeting, the representative of Israel had stated that the rockets had been launched from inside the headquarters. That contradiction reflected the embarrassed state in which Israel found itself. The Israeli delegation's lies were the result of its conviction that Israel's acts were legitimate and that it had the right to occupy another country and drive a people from its homeland.

80. **The Chairman** said that delegations had been invited to explain their votes on the draft resolution. Those delegations wishing to respond directly to comments made by other speakers should make statements in exercise of the right of reply at the appropriate time.

81. **Mr. Rajeh** (Saudi Arabia) said that he had merely made an explanatory statement.

82. **The Chairman** said that the representative of Saudi Arabia had referred directly to the statement delivered by the representative of Israel. He appealed to other delegations wishing to exercise their right of reply to comply with the rules of procedure of the General Assembly.

83. **Ms. Stanley** (Ireland), speaking on behalf of the European Union, said that the European Union's position on the issue was well known and she would not repeat it.

84. **Mr. Sermoneta** (Israel), speaking in exercise of the right of reply, said that the contradiction to which the representative of Saudi Arabia had alluded was not entirely clear.

85. **Mr. Rajeh** (Saudi Arabia), clarifying his early statement, noted that Israel had stated that the military operations taking place close to the United Nations compound had been endangering Israel. That was an indirect reference to the incident at Qana, Lebanon, on 18 April 1996. Moreover, another member of the Israeli delegation had made a statement in that regard to the Committee during the fifty-fifth session of the General Assembly.

86. **Mr. Sermoneta** (Israel) said that he wished to make it very clear that the word "military" had not appeared in his statement. Reviewing the events surrounding the incident at Qana, he said that the terrorist group Hezbollah had on three separate occasions launched rockets and mortar rounds at villages in northern Israel in April 1996 from a site approximately 300 metres from the Fijian UNIFIL

compound at Qana. United Nations officials had been officially warned of the situation by Israel and had ordered Hezbollah to leave the area. However, Hezbollah had fired on the peacekeepers, and on 18 April the then Israeli Prime Minister Shimon Peres had warned UNIFIL that Israel would have to defend itself and fire on the rocket launching site. The letter of the Secretary-General to the Security Council concerning the Qana incident (S/1996/337) had specifically stated that on 18 April Hezbollah fighters had fired rockets from a location 350 metres south-east of the United Nations compound, and that no action had been taken by UNIFIL personnel. He regretted having to describe those events, but his delegation felt that he had been misquoted and that the misquote had been manipulated by another delegation.

87. **Mr. Zeidan** (Lebanon), responding to the statement made by the representative of Israel, also referred the Committee to the letter of the Secretary-General (S/1996/337), which clearly showed that the shelling of the United Nations compound at Qana had not been the result of any errors.

Agenda item 146: Financing of the United Nations Mission in Sierra Leone (*continued*) (A/C.5/58/L.80)

88. **The Chairman** drew the Committee's attention to draft resolution A/C.5/58/L.80.

89. *Draft resolution A/C.5/58/L.80 was adopted.*

Agenda item 147: Financing of the United Nations Mission for the Referendum in Western Sahara (*continued*) (A/C.5/58/L.70)

90. **The Chairman** drew the Committee's attention to draft resolution A/C.5/58/L.70.

91. *Draft resolution A/C.5/58/L.70 was adopted.*

Agenda item 165: Financing of the United Nations Mission in Liberia (*continued*) (A/C.5/58/L.76)

92. **The Chairman** drew the Committee's attention to draft resolution A/C.5/58/L.76.

93. *Draft resolution A/C.5/58/L.76 was adopted.*

Agenda item 167: Financing of the United Nations Operation in Côte d'Ivoire (*continued*) (A/C.5/58/L.84)

94. **The Chairman** drew the Committee's attention to draft resolution A/C.5/58/L.84.

95. *Draft resolution A/C.5/58/L.84 was adopted.*

Agenda item 168: Financing of the United Nations Stabilization Mission in Haiti (*continued*) (A/C.5/58/L.82)

96. **The Chairman** drew the Committee's attention to draft resolution A/C.5/58/L.82.

97. *Draft resolution A/C.5/58/L.82 was adopted.*

98. **Mr. Cazeau** (Haiti) noted that by adopting draft resolution A/C.5/58/L.82 the Committee had given the United Nations the instrument it needed to embark on its mission in Haiti, in accordance with Security Council resolution 1542 (2004) of 30 April 2004. In doing so, it had taken the first step towards the construction of a new Haiti that was determined to build a more just and fairer society, driven by democracy, respect for human and citizens' rights, the principles of participation and transparency in the management of national affairs, and the country's comprehensive development. His delegation was confident that a detailed, definitive budget for the Stabilization Mission would be submitted to the Committee at the beginning of the fifty-ninth session of the General Assembly and strongly urged the Committee to pay more attention to the Mission's human rights and health aspects.

Agenda item 170: Financing of the United Nations Operation in Burundi (*continued*) (A/C.5/58/L.83)

99. **The Chairman** drew the Committee's attention to draft resolution A/C.5/58/L.83.

100. *Draft resolution A/C.5/58/L.83 was adopted.*

Agenda item 134: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

Financing of the support account for peacekeeping operations

Financing of the United Nations Logistics Base at Brindisi, Italy (*continued*) (A/C.5/58/39)

101. **Ms. Pollard** (Director of the Peacekeeping Financing Division), introducing the note by the Secretary-General on the financing of the support

account for peacekeeping operations and financing of the United Nations Logistics Base at Brindisi, Italy (A/C.5/58/39), said that the amounts to be apportioned in respect of each peacekeeping mission, including the prorated share of the support account and of the Logistics Base at Brindisi, were set out in the annex to the document. Since the resources to be approved by the General Assembly for the United Nations Stabilization Mission in Haiti, the United Nations Operation in Burundi and the United Nations Mission of Support in East Timor were commitment authorities, with assessment, for the period from 1 July to 31 October 2004, they had been excluded from the proration. A note would be issued in July 2004 on the approved level of resources for all peacekeeping operations, once the General Assembly had taken action.

102. **Mr. Ozawa** (Japan) said that the projected increase of more than 60 per cent in the United Nations peacekeeping budget was slowly becoming a reality and expressed doubt about Member States' capacity to pay.

103. The Government of Japan did not have a budget mechanism that would allow for the absorption of such a large increase and Japanese taxpayers had already begun to criticize the Government for contributing to peacekeeping operations benefiting parties whose willingness to settle their conflicts was questionable. In addition, Japan was not a permanent member of the Security Council and therefore often had no say in the Council's policy decisions concerning individual peacekeeping operations, despite the fact that it was liable for approximately one fifth of the related costs. Leaving the Government of Japan out of discussions on peacekeeping budgets would be intolerable, particularly if those discussions were held without due consideration for the need to face up to the truth in cases where there was a perceived lack of will to pursue peace.

104. The steep increase in the peacekeeping budget would consume resources that could have been used for humanitarian assistance or poverty reduction. Japan's share of the burden was expected to reach US$ 900 million, and it was therefore no exaggeration to say that the next round of peacekeeping assessments might have a devastating impact on Japan's ability to support emergency and humanitarian assistance programmes.

105. While no resources should be spared in the pursuit of peace, the continued existence of peacekeeping operations in areas where the parties to the conflict had no real interest in a settlement might divert resources which could otherwise be spent on helping people living in extreme poverty. The Government of Japan wished to put an end to the vicious circle of conflict and poverty and to extend a helping hand to those people courageous enough to abandon their weapons and fight poverty. In that connection, the Security Council must give more serious thought to the exit and completion strategies of ongoing peacekeeping operations.

106. At the Third Tokyo International Conference on African Development, the Japanese Government had reaffirmed its solidarity with the New Partnership for Africa's Development, the spirit of which emphasized mutual respect, ownership and the hopes of ordinary people. Japan would continue to advocate equal partnership based on those three elements, since it firmly believed that equal partnership meant solidarity. Nearly 70 per cent of current peacekeeping activities were taking place in Africa, but the African countries were now beginning to assert their ownership and endeavouring to take off. Exit and completion strategies for peacekeeping operations were therefore doubly important, since the long-term presence of such operations undermined the pursuit of peace based on ownership. The parties to a conflict must play the key roles in reaching a peaceful settlement, but regional approaches, such as that sought by the African Union, were also useful in that regard.

107. Lastly, complacency with the status quo in respect of long-term peacekeeping operations was a widespread problem. Resources for such missions could not be justified, and the Japanese Government intended to scrutinize the operations concerned so that unintended dependencies could be rooted out.

108. **The Chairman** said he took it that the Committee wished to take note of the information provided in document A/C.5/58/39.

109. *It was so decided.*

Agenda item 119: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*) (A/C.5/58/L.92)

110. **The Chairman** drew the Committee's attention to draft decision A/C.5/58/L.92.

111. **Mr. Wittmann** (United States of America) said that his delegation regretted that the Committee had been unable to take a decision on the application of surplus cash from closed peacekeeping missions and the surplus from the Peacekeeping Reserve Fund. Many Committee members had rightly expressed concern about arrears in peacekeeping missions and delayed payment to troop-contributing countries. The United States of America remained committed to addressing the question of arrears and related issues and regretted that the actions of a few delegations had prevented the Committee from doing so during the Assembly's fifty-eighth session.

112. **Mr. Wins** (Uruguay), supported by **Mr. Mazumdar** (India), expressed disappointment that the Committee had failed to demonstrate the will to negotiate a solution to the difficult problem of troop-contributing countries and at the protracted failure to reimburse them. His delegation had made a number of constructive proposals in that regard, but the Committee had declined to consider any of them on their merits.

113. **Mr. Dutton** (Australia), speaking also on behalf of Canada and New Zealand, agreed with those delegations that had called for action to resolve the problem of the failure to reimburse Member States for contributions to closed peacekeeping missions with cash deficits. His delegation was particularly disappointed that certain Member States had blocked agreement on the return of the $94 million to Member States at the current session. By not returning the money, the Committee was punishing Member States that had paid in full, on time and without conditions for the arrears of other Member States. The money should be returned during the 2004-2005 financial year, when the assessments of all Member States would be subject to substantial increases.

114. **Ms. Stanley** (Ireland), speaking on behalf of the European Union, the associated countries (Bulgaria, Romania and Turkey), the stabilization and association process countries (Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro and the former Yugoslav Republic of Macedonia), and, in addition, Liechtenstein, expressed disappointment and concern that one Member State had prevented the Committee from concluding negotiations on the return to Member States of the $94 million from peacekeeping operations. While the European Union shared that State's dissatisfaction that arrears to closed peacekeeping operations rendered the United Nations unable to fully reimburse troop-contributing countries for those missions, the myopic nature of the efforts being made to address the issue failed to address the root cause of the problem. In using the $94 million to reimburse only troop-contributing countries, the Committee was overlooking the fact that the vast majority of Member States would gain no benefit, since they were not troop-contributing countries to those missions. As a result, troop-contributing countries would be given priority and reimbursed at the expense of the wider membership. Since it was unlikely that arrears to closed peacekeeping operations would soon be cleared, using the $94 million to reimburse troop-contributing countries would simply be a transfer, to the wider membership, of the current debt to troop-contributing countries. The European Union strongly questioned the signal such a move would send to Member States.

115. *Draft decision A/C.5/58/L.92 was adopted.*

Completion of the work of the Fifth Committee at the second part of the resumed fifty-eighth session of the General Assembly

116. After an exchange of courtesies, in which **Mr. Talbot** (Guyana), **Ms. Udo** (Nigeria) and **Ms. Blokar** (Slovenia), speaking on behalf of their respective regional groups, **Ms. Stanley** (Ireland), speaking on behalf of the European Union, **Mr. Kramer** (Canada), speaking also on behalf of Australia and New Zealand, **Mr. Al-Ansari** (Qatar), speaking on behalf of the Group of 77 and China, **Mr. Kozaki** (Japan) and **Mr. Wittmann** (United States of America) took part, the Chairman declared that the Fifth Committee had thus completed its work at the second part of the resumed fifty-eighth session of the General Assembly.

The meeting rose at 12.30 p.m.